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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/399,578	09/20/1999	DANIEL L. MARKS	AIS-P99-1	2427

7590 12/01/2004  
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EXAMINER

WINDER, PATRICE L

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/399,578

**Applicant(s)**

MARKS, DANIEL L.

**Examiner**

Patrice Winder

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-949 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-949 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9-10-04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-949 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tak K. Woo et al., "Asynchronous Collaboration Tool for World-Wide Web (hereafter referred to as Woo) in Schoof, II, USPN 5,440,624 (hereafter referred to as Schoof).

3. Regarding claim 1, Woo taught a method of using computers to communicate over an Internet network ("To support this need, the Yarn synchronous collaboration tool has been added to the World Wide Web to operate in conjunction with the Mosaic browser.", paragraph 1), the method including the steps of:

connecting a plurality of participator computers with a controller computer through the Internet network, each said participator computer connected to an input device and to an output device ("When linked to the World Wide web, the Yarn client and server processes combine to provide a service called Yarn Web, which appears as a separate window on the X display.", paragraph 2 and "Users can join the meeting via a standard Telnet client application which runs on all machines supporting TCP/IP, or via other graphical user interface (GUI) client running on X-Windows and Windows NT workstations.", paragraph 5);

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arbitrating with controller computer, in accordance with predefined rules (access permissions particular to the user), to determine which ones of the participator computers can form a group to send and receive communications ("This facility allows any user with appropriate access permission to consult ... the logs of all meetings in progress ...", paragraph 10 and "Accessing a meeting document, with appropriate access controls in place, would, in effect, allow the user to join a meeting.", paragraph 8. Forming a new group by adding participants.)

sending and receiving said communications in real time over the Internet network between the participator computers in said group ("2. Meeting within the browser users should be able to join and converse in real-time with other participants within the browser.", paragraph 9), some of the communications including a respective video, graphic or pointer-triggered message ("At first a static file is created with a hypertext link to a designed URL. Users are notified of a new document from Yarn Web by a message as follow: LOG: Load document – <http://coral.it.Bond.eud.au:91776/reesm.html>.", paragraph 25). Woo does not specifically teach including a test for an authenticated user identity. However, Schoof taught arbitrating using a test for an authenticated user identity (column 7, lines 53-58). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Schoof's authenticated user identity in Woo's Yarn Web would have improved meeting organization. The motivation would have been to better maintain control and ensure the best dissemination of information.

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4. Regarding claim 165, Woo taught a method of using a computer system to distribute communication over an Internet network ("To support this need, the Yarn synchronous collaboration tool has been added to the World Wide Web to operate in conjunction with the Mosaic browser.", paragraph 1), the method including the steps of:

obtaining a respective authenticated user from a controller computer over the Internet network for respective use on each of a plurality of participator computers ("This facility allows any user with appropriate access permission to consult ... the logs of all meetings in progress ...", paragraph 10 and "Accessing a meeting document, with appropriate access controls in place, would, in effect, allow the user to join a meeting.", paragraph 8), each said participator computer connected to an input device to an output device ("Users can join the meeting via a standard Telnet client application which runs on all machines supporting TCP/IP, or via other graphical user interface (GUI) client running on X-Windows and Windows NT workstations.", paragraph 5);

programming the participator computers to enable the communication, including at least one of a sound, video, graphic or multimedia ("2. Meeting within the browser users should be able to join and converse in real-time with other participants within the browser.", paragraph 9);

connecting said participator computers to said Internet network ("When linked to the World Wide web, the Yarn client and server processes combine to provide a service called Yarn Web, which appears as a separate window on the X display.", paragraph 2);

using said authenticated user to communicate a pointer-triggered message from one said participator computers to said controller computer to an other of said

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participator computers ("At first a static file is created with a hypertext link to a designed URL. Users are notified of a new document from Yarn Web by a message as follow:

LOG: Load document – <http://coral.it.Bond.eud.au:91776/reesm.html>.", paragraph 25); and

using said pointer-triggered message to receive the communication at the other of said participator computers in real time over the Internet network ("User can then reload the static link page to find the hypertext link to the latest common display document.", paragraph 26). Woo does not specifically teach the authenticated user identity. However Schoof taught an authenticated user identity (column 7, lines 53-58). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Schoof's authenticated user identity in Woo's Yarn Web would have improved meeting organization. The motivation would have been to better maintain control of the meeting and ensure the best dissemination of information.

5. Schoof taught the communications comprising text, graphics, video and a human communication sound (column 3, lines 50-58).

6. Schoof taught the step of arbitrating including authorizing a moderator for said communications (column 8, lines 56-68).

7. Schoof taught storing a user identity and a set of privileges in a rule base (column 7, lines 53-58).

8. Schoof taught a login name and a password (column 4, lines 35-41, column 7, lines 53-58).

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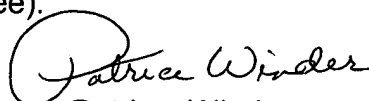
9. The language of claims 2-164, 166-949 is substantially the same as the statements made in paragraphs 3-\*\*. Therefore, claims 2-164 and 166-949 are rejected on the same rationale as paragraphs 3-\*\*, above.

### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 703-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Patrice Winder  
Primary Examiner  
Art Unit 2145

November 29, 2004